

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5726 of 2002
with
CIVIL APPLICATION NO.5685 OF 2003

For Approval and Signature:

HON'BLE MR.JUSTICE JAYANT PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
 5. Whether it is to be circulated to the concerned Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals? : NO

AGRICULTURAL PRODUCE MARKET COMMITTEE

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 5726 of 2002
MR KS JHAVERI for Petitioner No. 1-9
Mr.Joshi, AGP for Respondent No. 1-3
MR GM JOSHI for Respondent No. 4
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CORAM : HON'BLE MR.JUSTICE JAYANT PATEL

Date of decision: 26/09/2003

ORAL JUDGEMENT

Having heard Mr.Zaveri, Ld.advocate for the petitioners and Mr.Joshi, ld.AGP it appears that there is no dispute on the point that the statutory term of the Market Committee has expired by afflux of time on 15.9.03. However, Mr.Zaveri states that thereafter the appointment of administrator is made by the State Govt which is the subject matter of Spl.C.A.No.13558/03 and therefore he submitted that even if this petition is disposed of having become infructuous it may not prejudice the case of the petitioners in the said petition which is preferred against the appointment of administrator.

2. Under the circumstances, present petition is disposed of as having become infructuous by afflux of time and on the ground that the statutory term of the Market Committee is over on 15.9.03. Rule is discharged. In the facts and circumstances there shall be no order as to costs.

3. In view of disposal of main SCA No.5726/02 no order on CA No.5685/03. CA stands disposed of accordingly.

4. It is clarified that the disposal of SCA No.5726/02 would not prejudice the rights and catenations of petitioners in the petition being SCA No.13558/03 which is preferred against the appointment of administrator.

26.9.03 (JAYANT PATEL,J)